



3742

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Robert F. Scalese,  
Thomas B. Taylor, Tim  
Holzschuh, Douglas E.  
Harbert, Thomas G.  
Plaven, Martin L. Maple  
and Jan Cleasson

SERIAL NO.: 09/875,065

FILED: June 5, 2001

FOR: A Microwave Moisture  
Analyzer: Apparatus  
And Method

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MAR 14 2003  
TECHNOLOGY CENTER R3700

ART UNIT: 3742

EXAMINER: Quang T. Van

To: Commissioner of Patents and Trademarks  
Washington, DC 20231

PETITION TO CORRECT OFFICE ACTION DATE

Applicant hereby respectfully requests that the Commissioner correct the Office Action date in the above-identified patent application for the following reasons:

One April 2, 2002 a Notification of Change of Correspondence Address was filed with the Patent Office. Attached hereto as Exhibit "A" is a copy of the return receipt card, date stamped received at the Patent and Trademark Office on April 2, 2002.

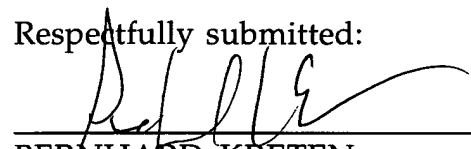
On November 29, 2002 an Office Action was sent to our old address. On February 18, 2003 the tenants at my old address called me to inform me that mail addressed to me was accumulating there. I picked up the mail within an hour of the call. Therefore we did not receive this Office Action until February 18, 2003, leaving us little time to confer with the

client and prepare proper response before the February 28, 2003 due date without extension. (Exhibit B)

In view of the foregoing, it is respectfully requested that the Commissioner favorably receive this petition, restart the Office Action mailing date and allow the application process to go forward.

Dated: February 26, 2003

Respectfully submitted:



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BERNHARD KRETEN  
Applicant's Attorney  
Telephone: (916) 930-9700  
Registration No.: 27,037



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TECHNOLOGY CENTER R3700

31027-PC

PLEASE ACKNOWLEDGE RECEIPT OF:

Change of Correspondence Address (application);  
and a Certificate of Mailing under 37 C.F.R. §1.8(a).  
Applicant: Scalse, Robert  
Serial No.: 09/875,065  
Filed: June 5, 2001



DeWitt

EXHIBIT

A



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,065	06/05/2001	Robert F. Scalese	31027-pa	8094

7590 11/29/2002  
Bernhard Kreten  
Suite 245  
77 Cadillac Drive  
Sacramento, CA 95825

EXAMINER

VAN, QUANG T

ART UNIT	PAPER NUMBER
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3742

DATE MAILED: 11/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

EXHIBIT b

# Office Action Summary

Application No.

09/875,065

Applicant(s)

SCALESE ET AL.

Examiner

Quang T Van

Art Unit

3742

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 20-25, 34-37, 44-50, 54, 55 and 58-64 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 44-50 and 61-64 is/are allowed.
- 6) ☒ Claim(s) 20-25, 34-37, 54, 55 and 58-60 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4&5. 6) ☐ Other:

***Specification***

1. The abstract of the disclosure is objected to because the legal phrase *by* such as "said" often used in patent claims should be avoided in the abstract. Correction is required. See MPEP § 608.01(b).

***Claim Objections***

2. Applicant is advised that should claims 54 and 55 be found allowable, claims 54 and 55 will be objected to under 37 CFR 1.75 as being a substantial **duplicate** thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 20-21 and 54-55 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 20, "a cylindrical microwave" recited at line 2 is indefinite because it is unclear. It should be changed either to "a cylindrical microwave **chamber**" or "a cylindrical microwave **cavity**" for a clear recitation. Correction is required.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 20, 21, 54, 55 and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collins (US 4,753,889) in view of Smith (US 4,851,630) and Collins (US re.34,373) all cited by applicants. Collins'889 discloses a method for loss on drying which includes the steps of placing a specimen in a microwave chamber (column 8, lines 5-7), monitoring the microwave energy within the cylindrical microwave while powering the microwave to dry the specimen (column 2, lines 64-68). However, Collins'889 does not disclose the microwave chamber being a cylindrical chamber and venting moisturing moisture from the microwave during a drying process. Smith discloses a microwave chamber (22) having a cylindrical shape (col. 3, lines 63-64), and Collins'373 discloses venting moisturing moisture from the microwave during a drying process (column 5, lines 23-25). It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize in Collins'889 a microwave chamber being a cylindrical chamber as taught by Smith for the purposes of assisting in the tuning of the microwave energy supplied to the chamber, and venting moisturing moisture from the microwave during a drying process as taught by Collins 373 in order

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to provide the microwave chamber with a venting means to exhaust the volatiles and gases generated by the specimen being processed in the microwave.

7. Claims 22-25 and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collins (US 4,753,889) in view of Smith (US 4,851,630); Collins (US re.34,373) and further in view of Risman et al (US 5,632,921) all cited by applicants. Collins'889, Smith and Collins'373 disclose substantially all features of the claimed invention except said cylindrical microwave containment chamber including a pair of portals disposed therein, and a waveguide operatively coupled between said microwave energy source and said portals. Risman discloses, a cylindrical microwave containment chamber (320) including a pair of portals (366, 368) disposed therein, and a waveguide (361) operatively coupled between said microwave energy source and said portals (366, 368). It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize in Collins'889, Smith and Collins'373 cylindrical microwave containment chamber including a pair of portals disposed therein, and a waveguide operatively coupled between said microwave energy source and said portals as taught by Risman in order to delivery microwave energy to the chamber.

8. Claims 34-37 and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collins (US 4,753,889) in view of Collins (US re.34,373) both cited by applicants, and Holst et al. (US 5,321,897). Collins'889 discloses a method for loss on drying which includes the steps of placing a specimen in a microwave chamber (column 8, lines 5-7), applying microwave energy to a sample having a known weight (column 8, lines 7-9). However, Collins'889 does not disclose the step of monitoring the microwave



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energy changes within the cylindrical microwave while powering the microwave to dry the specimen and surceasing the applied microwave energy as a function of the monitored microwave energy. Collins'373 discloses the step of monitoring the microwave energy changes within the cylindrical microwave while powering the microwave to dry the specimen (column 6, lines 40-53). Holst discloses step of surceasing the applied microwave energy as a function of the monitored microwave energy (column 8, lines 51-54). It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize in Collins'889 the step of monitoring the microwave energy within the cylindrical microwave while powering the microwave to dry the specimen as taught by Collins'373 in order to provide different heating levels during the drying process and step of surceasing the applied microwave energy as a function of the monitored microwave energy as taught by Holst in order to protect the heating system.

9. Claims 44-50 and 61-64 are allowed.

10. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not show or suggest the step of comparing the sensed radiation to the algorithm for determining a benchmark correlative to an endpoint condition as recited in claims 44 and 61; the step of comparing a transition of slope on the characteristic radiation curve with a transition of slope on the specimen radiation curve, and continuing to radiate the specimen until a predetermined endpoint condition has been met based on the comparing step as recited in claims 48 and 62; the step of establishing a benchmark correlative to a level of microwave energy sensed by a

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sensor and comparing the monitored energy level with the benchmark level for controlling a drying process of the sample as recited in claims 49 and 63; and the step of establishing a characteristic radiation curve of a sample type correlative of its radiation absorbability. And comparing subsequently sensed levels of radiation within the chamber with the characteristic curve for determining an endpoint condition as recited in claims 50 and 64.

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Holst et al (US 5,315,765) discloses a high-efficiency fabric dryer.

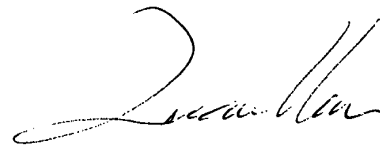
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang Van whose telephone is 703-306-9162. The examiner can normally be reached 8:30 to 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teresa Walberg can be reached on 703-308-1327. The fax phone numbers for this group is 703-782-9302.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is 703-308-0861.

  
QV

November 25, 2002

  
Quang Van

Patent Examiner

AU 3742

# **Notice of References Cited**

Application/Control No.

09/875,065

Applicant(s)/Patent Under  
Reexamination  
SCALESE ET AL.

Examiner

Quang T Van

Art Unit

3742

Page 1 of 1

## **U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5,321,897	06-1994	Holst et al.	34/260
	B	US-5,315,765	05-1994	Holst et al.	34/260
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

## **FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

## **NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Approved for use through 07/31/96, OMB 0651-0031

SEP 24 2001

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LIST OF PRIOR ART CITED BY  
APPLICANT (#)

(use as many sheets as necessary)

**Complete if Known**

Application Number **09/875,065**

Filing Date: 6/5/01

First Named Inventor	Robert F. Scalese, et al.
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**Group Art Unit**

Examiner Name

Attorney Docket Number	31027-PA
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Sheet	1	of
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## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature		Date Considered	11/25/02
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<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

**Burden Hour Statement:** This form is estimated to take .2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231.

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Please type a plus sign (+) inside this box.

1449A/PTO Rev. 10/95		U.S. Department of Commerce Patent and Trademark Office		<b>Complete if Known</b>	
<b>LIST OF PRIOR ART CITED BY APPLICANT</b> (use as many sheets as necessary)		Application Number		09/875,065	
		Filing Date		6/5/01	
		First Named Inventor		Robert F. Scalese, et al.	
		Group Art Unit		3742	
		Examiner Name		QUANG VAN	
Sheet	2	of	2	Attorney Docket Number	31027-PA

## OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, country, where published, source.	T <sup>2</sup>
RV	3	FRANK REGGIA, Magnetically Tunable Microwave Bandpass Filter, January 1963, Pages 72 through 74, The Microwave Journal	
RV	4	H.G. WIEDEMANN, Universal Measuring Instrument for Gravimetric Investigations Under Variable Conditions, 1964, Mettler Instrument Corporation	

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Examiner Signature	RV	Date Considered	11/25/02
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08A (08-00)

Approved for use through 10/31/2002 OMB 0651-0031


U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary) #1				<b>Complete if Known</b> <table border="1"> <tr> <td>Application Number</td> <td>09/875,065</td> </tr> <tr> <td>Filing Date</td> <td>June 5, 2001</td> </tr> <tr> <td>First Named Inventor</td> <td>Scalese, Robert F.</td> </tr> <tr> <td>Group Art Unit</td> <td>3780 3792</td> </tr> <tr> <td>Examiner Name</td> <td>unassigned <i>EVAN</i></td> </tr> <tr> <td>Attorney Docket Number</td> <td>31027-pa</td> </tr> </table>		Application Number	09/875,065	Filing Date	June 5, 2001	First Named Inventor	Scalese, Robert F.	Group Art Unit	3780 3792	Examiner Name	unassigned <i>EVAN</i>	Attorney Docket Number	31027-pa
Application Number	09/875,065																
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First Named Inventor	Scalese, Robert F.																
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Examiner Name	unassigned <i>EVAN</i>																
Attorney Docket Number	31027-pa																
Sheet	1	of	4														

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
PT	1	Re.32,861		Collins, et al.	Feb. 7, 1989	
PT	2	Re. 34,373		Collins, et al.	Sept. 7, 1993	
PT	3	3,652,940		Reiter, et al.	Mar. 28, 1972	
PT	4	3,680,012		Moreau	July 25, 1972	
PT	5	3,748,605		Baynham, et al.	July 24, 1973	
PT	6	3,758,737		Ironfield	Sept. 11, 1973	
PT	7	3,869,681		Klein, et al.	Mar. 4, 1975	
PT	8	3,890,825		Davis	June 24, 1975	
PT	9	3,909,598		Collins, et al.	Sept. 30, 1975	
PT	10	3,916,670		Davis, et al.	Nov. 4, 1975	
PT	11	4,037,182		Burnett, et al.	July 19, 1977	
PT	12	4,106,329		Takahashi, et al.	Aug. 15, 1978	
PT	13	4,127,834		Stringfellow, et al.	Nov. 28, 1978	
PT	14	4,165,633		Raisanen	Aug. 28, 1979	
PT	15	4,168,623		Thomas, Jr.	Sept. 25, 1979	
PT	16	4,193,116		Funk	Mar. 11, 1980	
PT	17	4,276,462		Risman	June 30, 1981	
PT	18	4,291,775		Collins	Sept. 29, 1981	
PT	19	4,312,218		Eckles	Jan. 26, 1982	
PT	20	4,316,384		Pommer, et al.	Feb. 23, 1982	

[illegible]

Examiner Signature		Date Considered	11/25/02
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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<b>Application Number</b>	09/875,065
<b>Filing Date</b>	June 5, 2001
<b>First Named Inventor</b>	Scalese, Robert F.
<b>Group Art Unit</b>	3749
<b>Examiner Name</b>	unassigned
<b>Attorney Docket Number</b>	31027-pa

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Sheet	3	of	4
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Application Number	09/875,065
Filing Date	June 5, 2001
First Named Inventor	Scaleso, Robert F.
Group, Art Unit	3742, 2742
Examiner Name	unassigned <i>WANG WEN</i>
Attorney Docket Number	31027-pa

U.S. PATENT DOCUMENTS						
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
AS	41	4,861,556		Neas, et al.	Aug. 29, 1989	
AS	42	4,882,286		Neas, et al.	Nov. 21, 1989	
AS	43	4,929,489		Gueble, et al.	July 3, 1990	
AS	44	4,946,797		Neas, et al.	Aug. 7, 1990	
AS	45	5,085,527		Gilbert	Feb. 4, 1992	
AS	46	5,176,146		Chive Maurice, et al.	Jan. 5, 1993	
AS	47	5,211,252		Henderson, et al.	May 18, 1993	
AS	48	5,215,715		Haswell, et al.	June 1, 1993	
AS	49	5,216,388		Dipoala	June 1, 1993	
AS	50	5,256,978		Rose	Oct. 26, 1993	
AS	51	5,293,019		Lee	Mar. 8, 1994	
AS	52	5,318,754		Collins, et al.	June 7, 1994	
AS	53	5,329,255		Hayes, et al.	July 12, 1994	
AS	54	5,397,993		Tews, et al.	Mar. 14, 1995	
AS	55	5,420,039		Renoe, et al.	May 30, 1995	
AS	56	5,632,921		Risman, et al.	May 27, 1997	
AS	57	5,653,906		Fowler, et al.	Aug. 5, 1997	
AS	58	6,092,924		Scalese, et al.	Jul 25, 2000	

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<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	09/875,065
				Filing Date	June 5, 2001
				First Named Inventor	Scalese, Robert F.
				Group Art Unit	3745 3742
				Examiner Name	unassigned <i>RENANG VAN</i>
Sheet	4	of	4	Attorney Docket Number	31027-pa

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
<i>[Signature]</i>	59	Ernest C. Okress, "Microwave Power Engineering", 1968, pp. 49-53, 63, 156 and 195, vol. 2, Academic Press, New York and London	
<i>[Signature]</i>	60	G. F. Leonhardt, et al., "Microwave Drying of Microorganisms. II. The Use of Microwave Oven for the Determination of Moisture Content of Pressed Yeast", Journal of Microwave Power, 1978, 4 pages total, vol. 13(3), San Paula, Brazil	
<i>[Signature]</i>	61	P. O. Risan, "A Microwave Applicator for Drying Food Samples", Journal of Microwave Power, 1978, vol. 13(4), Edmonton, Canada	

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Examiner Signature		Date Considered	11/25/02
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICANT: Robert F. Scalese, Thomas B.  
Taylor, Tim Holzschuh,  
Douglas E. Harbert, Thomas  
G. Plaven, Martin L. Maple  
and Jan Claesson

SERIAL NO.: 09/875,065

FILED: June 5, 2001

FOR: A Microwave Moisture  
Analyzer: Apparatus and  
Method

ART UNIT: 3742

EXAMINER: Quang T. Van

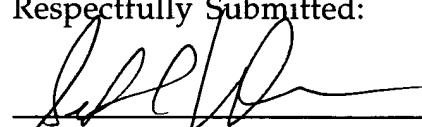
To: Commissioner of Patents and Trademarks  
Washington, DC 20231

**AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT**

It is believed that no fees are due with respect to the filing of the appended Petition to Correct Office Action Date. However, should any fees be due with respect to this filing, such fees should be charged to deposit account 11-1734, attorney docket number 31027-pa.

Dated: February 26, 2003

Respectfully Submitted:

  
BERNHARD KRETEN  
Applicant's Attorney  
Telephone (916) 930-9700  
Registration No.: 27,037

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

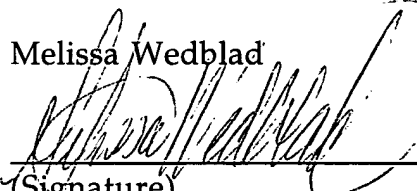
Applicant: Scalese, Robert F. et al.  
Serial No.: 09/875,065  
Filed: June 5, 2001  
Mark: A Microwave Moisture Analyzer: Apparatus and Method  
Paper: 1. Petition to Correct Office Action Date (Exhibits A-B);  
2. an Authorization to Charge Deposit Account (original plus one copy); and  
3. Return receipt card.

I hereby certify that the above identified correspondence, which is attached, is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:

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on February 27, 2003

Melissa Wedblad

  
(Signature)

February 27, 2003  
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